

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

UNITED STATES OF AMERICA

v.

Criminal Action No. 3:15CR31

JULIAN MOLINA

MEMORANDUM OPINION

Julian Molina, a federal prisoner proceeding pro se, submitted this MOTION FOR LEAVE TO SUPPLEMENT PETITIONERS 2255. The Rule Governing § 2255 Motions provides: "Standard Form. The motion must substantially follow either the form appended to these rules or a form prescribed by a local district-court rule." Rules Governing § 2255 Proceedings for the United States District Courts, Rule 2(c). Accordingly, by Memorandum Order entered on September 27, 2016, the Court sent Molina the standardized form for filing a 28 U.S.C. § 2255 motion. The Court directed Molina to complete and return the form to the Court within thirty (30) days of the date of entry thereof.

More than thirty (30) days have elapsed since the entry of the September 27, 2016 Memorandum Order and Molina has not completed and returned the standardized form. Accordingly, the action (ECF No. 55) is dismissed without prejudice to Molina

refiling on the standardized form. The Court will deny a certificate of appealability.

An appropriate Final Order will accompany this Memorandum Opinion.

/s/ REP
Robert E. Payne
Senior United States District Judge

Richmond, Virginia

Date: *November 14, 2016*